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APR 10 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Wary et al.

FILED: March 29, 2004

SERIAL NO.: 10/812,238

FOR: Use of Vascular Endothelial Growth Factor
And Type I Collagen Inducible Protein (VCIP)

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450§
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§
§

ART UNIT:

1644

EXAMINER:

Haddad, Maher


DOCKET: D6563

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile transmission to Examiner Maher M. Haddad at 571-273-8300 on the date indicated below.

Date:

APR 10 2008



Benjamin Aaron Adler, Ph.D., J.D.

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES AND
PETITION FOR EXTENSION OF TIME UNDER 37 CFR §1.136(a)

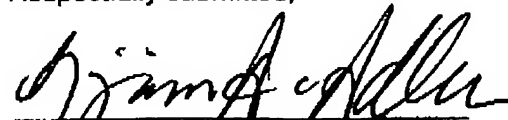
Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 10, 2007, from the Primary Examiner, rejecting claims 8, 14, 15 and 32.

Pursuant to 37 C.F.R. §1.136(a), Applicant hereby petitions that the period for response for the purpose of filing a Notice of Appeal, as governed by the Final Office Action mailed October 10, 2007, in the above-referenced patent application, be extended for two additional (2) months from February 11, 2008 to and including April 10, 2008. Please charge the \$485 fee (\$230 extension fee + \$255 appeal fee) to the credit card identified on attached Form PTO-2038. Only in the absence of Form PTO-2038, please debit any applicable fees from Deposit Account No. 07-1185 upon which the undersigned may draw.

Respectfully submitted,

Date:

APR 10 2008
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02 FC:2252

230.00 OP

04/11/2008 VBUI11 00000005 10812238

01 FC:2401

255.00 OP